

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ESSEX EMERYVILLE OWNER, L.P.,

Plaintiff,

No. C 17-00121 WHA

v.

MELINDA SCOTT,


Defendant.

**ORDER
REMANDING ACTION**

On January 19, 2017, defendant Melinda Scott was ordered to show cause, in writing, why this unlawful detainer case should not be remanded for lack of subject-matter jurisdiction by February 9. As of February 15, 2017, defendant Scott has filed no response. This order joins the multitude of decisions of district courts in our circuit holding that the Protecting Tenants at Foreclosure Act of 2009 does not confer federal subject-matter jurisdiction and hereby **REMANDS** the case. Defendant's application to proceed *in forma pauperis* is **DENIED AS MOOT**. The Clerk shall please **CLOSE THE FILE**.

IT IS SO ORDERED.

Dated: February 15, 2017.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE